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**APR 16 2009**

**OFFICE OF PETITIONS**

In re Application of Matsubayashi et al. :  
Application No. 10/726,709 :  
Filing Date: December 4, 2003 :  
Attorney Docket No. 00862.023341 :

Decision on Petition

This is a decision on the petition under 37 CFR 1.181, filed January 14, 2009, to withdraw the holding of abandonment.

The petition is **granted**.

The Office mailed a final Office action on April 21, 2008. The Office did not receive a reply to the Office action. As a result, a Notice of Abandonment was mailed November 14, 2008.

Petitioner requests withdrawal of the holding of abandonment.

The showing of record is sufficient to demonstrate non-receipt of the final Office action. Therefore, the Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn.

A new final Office action will be mailed and the period for reply will be re-started.

Technology Center Art Unit 2174 will be informed of the instant decision. Thereafter, the Technology Center will mail a new final Office action. The time period for responding to the new final Office action will be set to run from the mailing date of the new final Office action.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.

Charles Steven Brantley  
Senior Petitions Attorney  
Office of Petitions